

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000-14<sup>th</sup> STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF	)	DATE: January 15, 2004
	)	
Rose T. Dawson	)	DOCKET NO.: 03F-228
Coordinator, Community Youth Services	)	
DC Public Library	)	
542 Brummel Court, NW	)	
Washington, DC 20012	)	

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to the D.C. Code §1-1106.02 (2001 Edition), Rose T. Dawson, Coordinator, Community Youth Services, DC Public Library, failed to timely file, a Financial Disclosure Statement for calendar year 2002, on or before May 15, 2003 as required by D.C. Official Code §1-1106.02 and also failed to file on or before the OCF sanctioned extended filing deadline of June 19, 2003.

By Notice of Hearing, Statement of Violations and Order of Appearance dated November 17, 2003, OCF ordered Rose T. Dawson (hereinafter respondent), to appear at a scheduled hearing on December 1, 2003 and show cause why she should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

**Summary of Evidence**

OCF alleges that the respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003.

On December 1, 2003, the respondent appeared at the scheduled hearing and testified that she received a notice from OCF to file a Financial Disclosure Statement; however, the notice was addressed to her as an employee of the Metropolitan Police Department (MPD). Consequently, respondent stated she initially ignored the notice as she was not employed by MPD, but rather by the DC Public Library. After discussing the notice with a co-worker, who advised she should disregard the employer information

on the notice, respondent later filed an FDS online on or around Mother's Day 2003, or May 10, 2003. OCF was unable to confirm respondent's May 2003 online filing. Respondent further stated that she experienced some difficulty in filing online, notwithstanding her facility with computers. Respondent stated that upon receiving no further communication from OCF, she presumed the matter closed. Respondent filed an affidavit with OCF at the hearing, which memorialized her testimony. Respondent is a member of the Management Supervisory Service. Respondent filed a fully executed FDS with OCF at the conclusion of the hearing.

**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent is a member of the Management Supervisory Service (MSS).
2. Respondent was required to file a Financial Disclosure Statement with OCF for calendar year 2002, on or before June 19, 2003.
3. Respondent is a first-time FDS required filer.
4. Respondent provided a credible explanation for the filing delinquency in that she believed initially that the OCF notice addressed to her as an MPD employee was issued in error; and that she believed she subsequently filed the required FDS online in May 2003.
5. OCF received information on respondent's employment status from another District Government agency.
6. Respondent filed the required Financial Disclosure Statement on December 1, 2003.
7. Respondent is currently in compliance with the statute.

**Conclusions of Law**

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3DCMR §§3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02 is a fine of \$50.00 per day for each business day subsequent to the due date.

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3. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for failing to timely file constitutes good cause for suspension of the fine.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

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**Date**

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**Jean Scott Diggs**  
**Hearing Officer**

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

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**Date**

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**Kathy S. Williams**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the fine in this matter be hereby suspended.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order.

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**Rose Rice**  
**Legal Assistant**

**NOTICE**

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14<sup>th</sup> Street, N.W., Washington, D.C. 20009.